

Minutes – November 12, 2015

The following members of the Board were present at the County Commissioners' Meeting Room, Charles County Government Building, for a regular hearing of the Board of License Commissioners: William B. Young, Acting Chairman, Thomasina Coates, and Steve Lowe were present. Pamela Smith, Chairman and Guy N. Black were excused. Also appearing in support of the Board were M/Cpl. Judith Thompson, Alcohol Enforcement Coordinator; Inspector Greg Kiesel, Associate County Attorney Matthew Clagett, and Lisa Bailey, Clerk/Recording Secretary.

1. Upon a motion made, duly seconded and unanimously carried, the following temporary alcoholic beverage license applications were approved:

Indian Head Center for the Arts, by Kerry Doss, for 3 - 2-day temporary alcoholic beverage license(s) to sell/serve Beer, Wine & Liquor at the Black Box Theatre, from 6 p.m. to Midnight on 3 consecutive Fridays & Saturdays from November 12 to 11/29, for fundraisers with approx. 85 people expected to attend each event.

College of Southern Maryland, by Shaunda Holt, for a 1-day temporary alcoholic beverage license to sell/serve Beer, Wine & Liquor, at the La Plata Campus of College of Southern Maryland, from 6-9 p.m., on November 12, 2015, for a Gourmet Wine & Chocolate pairing class with approx. 20 people expected to attend.

Millennium Sport Riders, by Kermit Goodwin, for a 1-day temporary alcoholic beverage license to sell/serve Beer, Wine & Liquor at the Culture Center, (109 Post Office Rd), from 9 p.m. to 2 a.m., on February 6, 2016, for a fundraiser with approx. 300 people expected to attend.

2. John P. Beckman, Brett P. Rainwater, Scott M. Farren, Famous Dave's Ribs of Maryland, Inc., t/a Famous Dave's, 3046 Waldorf Market Place, Waldorf, MD 20603, appeared for a transfer of the Class B/BLX Luxury Restaurant – Beer, Wine & Liquor (on sale only) alcoholic beverage license from John P. Beckman, Brett P. Rainwater, Luke H. Mudd, Famous Dave's Ribs of Maryland, Inc., t/a Famous Dave's, 3046 Waldorf Market Place, Waldorf, MD 20603. Counsel to the applicant was Linda Carter, Esquire. Testimony was presented by Mr. Farren pertaining to the facts contained in the application which evidences Mr. Farren replacing Mr. Luke H. Mudd as an officer and resident licensee of Famous Dave's Ribs of Maryland, Inc. The applicants anticipate no change in the type of business to be conducted at the premises. Upon consideration of the testimony and evidence presented, and upon a motion made, seconded and unanimously carried, the Board ordered that the application filed on behalf of John P. Beckman, Brett P. Rainwater, Scott M. Farren, Famous Dave's Ribs of Maryland, Inc., t/a Famous Dave's, 3046 Waldorf Market Place, Waldorf, MD 20603, for a transfer of the Class B/BLX Luxury Restaurant – Beer, Wine & Liquor (on sale only) alcoholic beverage license was approved as presented, contingent upon payment of the appropriate transfer fee.

3. Thomas Avallone, Holly B. Mudd, BUCA (SPGGROUP), LLC, a Florida limited liability company, t/a Buca di Beppo – St. Charles, St. Charles Towne Center, 11110 Mall Circle, Room 001A, Waldorf, Maryland 20603, appeared for a transfer of the Class B/BLX Luxury Restaurant – Beer, Wine & Liquor (on sale only) alcoholic beverage license from Thomas Avallone, Mary Kathryn Faber, BUCA (SPGGROUP), LLC, a Florida LLC, t/a Buca Di Beppo, 11110 Mall Circle Drive, Room G01-A, Waldorf, Maryland 20603. Counsel to the applicant was Leanne Schrecengost, Esquire. Testimony was presented by Ms. Mudd pertaining to the facts contained in the application which evidences Ms. Mudd replacing Ms. Faber as an officer and resident licensee of Famous Dave’s Ribs of Maryland, Inc. Also testifying on behalf of the applicants was Mr. Mike Kraus, General Manager. The applicants anticipate no change in the type of business to be conducted at the premises. Upon consideration of the testimony and evidence presented, and upon a motion made, seconded and unanimously carried, the Board ordered that the application filed on behalf of Thomas Avallone, Holly B. Mudd, BUCA (SPGGROUP), LLC, a Florida limited liability company, t/a Buca di Beppo – St. Charles, St. Charles Towne Center, 11110 Mall Circle, Room 001A, Waldorf, Maryland 20603, for a transfer of the Class B/BLX Luxury Restaurant – Beer, Wine & Liquor (on sale only) alcoholic beverage license from Thomas Avallone, Mary Kathryn Faber, BUCA (SPGGROUP), LLC, a Florida LLC, t/a Buca Di Beppo, 11110 Mall Circle Drive, Room G01-A, Waldorf, Maryland 20603, be approved as presented, contingent upon the payment of the appropriate transfer fee.

4. David Martinez, Esq., and his clients joined the meeting to provide the Board with an update with regard to the approved renovations at the licensed premises of Cheung Fui Chan, Nicole D. Chen, Celeste Cunningham, 228 Market & Liquor, LLC, 10965 Berry Road, Waldorf, MD. The licensees originally came before the Board in July 2015, and were granted approval for interior renovations of the licensed premises while their license was held in safe keeping, with an anticipated a build-out by December, 2015. The proposed renovations evolved to an almost complete demolition and a revised build-out date of April, 2015. The Board agreed to extend the deadline until April 1, 2016, with the agreed upon understanding that if the Use & Occupancy permit wasn’t issued and the license retrieved from safe keeping by that date, the licensee would appear at the April hearing.

5. The Board approved the resignation of Mr. Carlos Politano as an alcoholic beverage licensee and officer of Carlos Politano, Adam Mudd, Chalak-Politano Waldorf, LLC t/a Genghis Grill Restaurant. Mr. Adam Mudd remains the sole officer, and resident licensee of Chalak-Politano Waldorf, LLC.

6. The Board held a brief legislative work session reiterating the action taken in October to approve proposed amendments to their Rules and Regulations and to review the results of the survey with regard to those proposed changes. The Board also reviewed the legislative proposal from Westlake Advocates to increase the distance from 500’ to 1,000’ from the property line of a school to any new alcoholic beverage license or permit. The Board reiterated their position of support of HB300, which passed the 2014 General Assembly, which incorporated the change only to licenses with an “off-sale” provision.

The Board also reviewed an inquiry from Melissa Davis dated 10/26/15, inquiring "...[w]hat can the liquor board do legislatively to reduce the number of locations that have at least two addictions, or alcohol and tobacco at the same location/alcohol and gambling at the same location..." and took no action.

7. The clerk advised as to the seasonal changes in hours of operation for the following licensed premises:

Gilligan's – seasonal closing 11/22/15 thru March. (Beach party 2/14);

Ape Hanger's – Opening at 2 p.m. Mon, Tues, Wed. No further changes.

Aqualand Campground – Mon–Fri. - Noon-6pm; Sat. 10 a.m.–6 pm; Tues & Sun - Closed

Capt. Billy's – seasonal closing beginning 11/14/15.

8. Upon a motion duly made, seconded and unanimously carried, the Board approved the October 8, 2015 Minutes.

With no further business the meeting adjourned at 11:20 a.m.